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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,908	06/27/2003	Jianbo Lu	202-0762 (FGT-1678 PA)	2435

28549 7590 06/29/2006  
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SOUTHFIELD, MI 48034

EXAMINER
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GOINS, DAVETTA WOODS

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/608,908

Applicant(s)

LU ET AL.

Examiner

Davetta W. Goins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/03</u> | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 23-33 are allowed.
2. Claims 5, 9, 13-16 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-4, 6-8, 10-12, 17-19, 21, 22 and 34-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Woywod et al. (US Pat. 6,366,844 B1).

In reference to claims 1, 17, 34, 35, Woywod discloses the claimed method providing an operating input torque to the wheel, determining the operating input torque to the wheel, determining a wheel response to the operating input torque, and determining a wheel lift condition as a function of the operating input torque, the rotational speed of the wheel and the wheel response, which is met by the lifting of the wheel can be detected by way of the slip behavior which corresponds to the engine torque; the rotational behavior of the wheels when low torque is applied can indicate the lifting of the wheel (col. 3, lines 59-67; col. 4, lines 1-31).

In reference to claims 2, 18, 36, 38, Woywod discloses the claimed method of determining a wheel response comprising determining a wheel slip rate for the wheel, which is met by the determining device 430 determining the wheel slip values (col. 3, lines 44-58).

In reference to claims 3, 4, 19, Woywod discloses the claimed method of determining a wheel lift condition comprises determining a wheel lift condition in response to comparing the wheel slip rate to a slip rate threshold, which is met by when determining the wheel slip values, the determining device 430 designates second comparison devices which compare the determined slip values with threshold values (col. 3, lines 44-67).

In reference to claims 6-8, 21, 22, 37, Woywod discloses the claimed wheel response comprises determining a wheel acceleration, which is met by numeral 411 designating a comparison device which compares the determined value of the transverse acceleration with a reference value 412 (col. 3, lines 1-29). The evaluating device 421 may link

In reference to claims 10-12, Woywod discloses the claimed method of determining a wheel response comprises determining a wheel slip for the wheel and a wheel acceleration, which is met by the third determining device 430 determining wheel slip values. A critical transverse acceleration can be identified when the wheel slip values on the behind-inward wheels are in excess first threshold values (col. 3, lines 44-58).

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5. The prior art of record and not relied upon is considered pertinent to the applicant's disclosure as follows. Mine (US Pat. 5,515,277), Sakamoto (US Pat. 6,601,927 B2) and Schramm et al. (US Pat. 6,756,890 B1), which disclose vehicle monitoring systems.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davetta W. Goins whose telephone number is 571-272-2957.

The examiner can normally be reached on Mon-Fri with every other Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Davetta W. Goins  
Primary Examiner  
Art Unit 2612



D.W.G.  
June 26, 2006